

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L.
Madoff Investment Securities LLC and the Chapter 7
Estate of Bernard L. Madoff,

Plaintiff,

v.

SQUARE ONE FUND LTD.,

Defendant.

Adv. Pro. No. 10-04330 (CGM)

**STIPULATION AND ORDER
FOR FIFTH AMENDED CASE MANAGEMENT PLAN**

WHEREAS pursuant to Federal Rules of Civil Procedure 16 and 26, as incorporated by Bankruptcy Rules 7016 and 7026, Plaintiff Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the estate of Bernard L. Madoff under chapter 7 of the United States Bankruptcy Code, 11 U.S.C. §§ 701, *et seq.*, and Defendant Square One Fund Ltd. (“Square One,” and with the Trustee, the

“Parties”), stipulated to the Case Management Plan, which was entered by this Court on July 16, 2019 (ECF No. 178);

WHEREAS, on August 26, 2021, this Court entered the Order Amending Case Management Plan (ECF No. 230);

WHEREAS, on May 16, 2022, this Court signed the Stipulation and Order for Second Amended Case Management Plan (ECF No. 245);

WHEREAS, on November 10, 2022, this Court signed the Stipulation and Order for Third Amended Case Management Plan (ECF No. 259);

WHEREAS, on December 29, 2022 this Court entered the Stipulation and Order for Fourth Amended Case Management Plan (ECF No. 260) (“Fourth Amended Case Management Plan”);

WHEREAS, the Fourth Amended Case Management Plan ordered that all expert discovery shall be completed by November 30, 2023;

WHEREAS, the Fourth Amended Case Management Plan ordered that all disclosures of expert testimony under Rule 26(a)(2) of the Federal Rules of Civil Procedure shall be made by June 30, 2023;

WHEREAS, the Fourth Amended Case Management Plan ordered that all applications for permission of the Court for expert testimony beyond the scope of the opinion covered by the disclosures shall be made by July 28, 2023;

WHEREAS, the Fourth Amended Case Management Plan ordered that all disclosures of opposition expert testimony under Rule 26(a)(2) of the Federal Rules of Civil Procedure shall be made by September 5, 2023;

WHEREAS, the Fourth Amended Case Management Plan ordered that all depositions of expert witnesses must be completed by October 30, 2023;

WHEREAS, the Parties have agreed to an extension of all expert discovery by three months;

NOW THEREFORE, it is **ORDERED** that the deadline for the Parties to:

(i) complete all expert discovery under Section 3(a) of the Case Management Plan shall be extended to February 29, 2024;

(ii) make all disclosures of expert opinions under Section 3(b) of the Case Management Plan shall be extended to September 29, 2023;

(iii) make all disclosures of rebuttal expert opinions under Section 3(b) of the Case Management Plan shall be extended to October 30, 2023;

(iv) make all applications for permission of the Court for expert testimony beyond the scope of the opinion covered by the disclosures under Section 3(b) of the Case Management Plan shall be extended to November 10, 2023;

(v) make all disclosures and requested production of documents underlying expert opinions and rebuttal expert opinions under Section 3(b) of the Case Management Plan shall be extended to November 30, 2023; and

(vi) conduct all depositions of expert witnesses under Section 3(c) of the Case Management Plan not earlier than 30 days after completion of document production set forth above and no later than January 30, 2024.

Dated: May 4, 2023
New York, New York

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Madoff Investment Securities LLC and the
Estate of Bernard L. Madoff*

Dated: May 5, 2023
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge